

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

RAHIEM JONES,

Petitioner,

-v-

9:18-CV-1348

BRANDON J. SMITH,

Respondent.

APPEARANCES:

RAHIEM JONES
Petitioner, Pro Se
9 Tampa Avenue
Albany, NY 12203

HON. LETITIA JAMES
New York State Attorney General
Attorneys for Respondent
28 Liberty Street
New York, NY 10005

DAVID N. HURD
United States District Judge

OF COUNSEL:

JODI A. DANZIG, ESQ.
Ass't Attorney General

ORDER ON REPORT & RECOMMENDATION

On November 16, 2018, *pro se* petitioner Rahiem Jones (“petitioner”) filed this petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2254 in an effort to challenge a judgment of conviction in Albany County Court that

resulted from his 2016 plea of guilty to attempted criminal possession of a weapon in the second degree. Dkt. No. 1. Respondent was directed to file and serve an answer to the petition and supply the relevant state court records on December 12, 2018. Dkt. No. 5.

On November 8, 2021, U.S. Magistrate Judge Miroslav Lovric advised by Report & Recommendation (“R&R”) that petitioner’s petition be denied and dismissed. Dkt. No. 21. Petitioner has not filed objections, and the time period in which to do so has expired. *See id.* Upon review for clear error, the R&R will be accepted and adopted in all respects. *See* FED. R. CIV. P. 72(b).

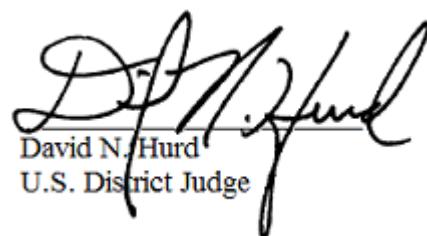
Therefore, it is

ORDERED that

1. The Report & Recommendation is ACCEPTED;
2. The petition is DENIED and DISMISSED; and
3. No certificate of appealability shall issue.

IT IS SO ORDERED.

Dated: November 30, 2021
Utica, New York.



David N. Hurd
U.S. District Judge